Amendments to the Drawings:

Figure 2 has been amended to include longitudinal axis 302 and Figure 4 has been amended to include longitudinal axis 304. It is submitted that no new matter is being added to the Figures since the longitudinal axes are reference lines that are inherently defined by the geometric shapes of the structures disclosed in the Figures of the application as originally filed. The attached Figures 2 and 4 replace the original Figures 2 and 4. For the sake of completeness, Figures 1, 3, 5 and 6, which were not amended and which replace the original Figures 1, 3, 5 and 6, are also included with the set of formalized figures.

REMARKS

In response to the Office Action of October 19, 2005, claims 10, 12, 16, 23, 27 and 28 have been amended, new claims 32-35 have been added, and claim 31 has been cancelled. Claims 1-13, 16-30 and 32-35 are pending in this application. Reconsideration and reexamination of the application, as amended, are respectfully requested.

I. Overview

The present invention relates generally to a device that can be mounted on a handle such as a fishing rod handle to provide support to a users forearm. This support has a pivotal arrangement that allows the support to pivot left and right to accommodate movement at the users wrist. It is submitted that none of the prior art relied upon in the Office Action of October 19, 2005 is capable of providing this type of functionality. Both U.S. Patent Nos. 5,212,900 to Perry and 6,065,240 to Paddock disclose devices having horizontal pivot axes that accommodate up and down pivoting movement. U.S. Patent No. 2,146,350 to Roberts discloses a substantially different device adapted for supporting a fisherman's arm adjacent the elbow at a location forward of the reel. The '350 patent has a channel that faces downwardly and inwardly toward the fishing rod when used by an angler. The '350 patent does not teach or suggest the type of pivoting movement disclosed and claimed in the present patent application.

II. Interview Summary

A phone interview was conducted between the undersigned attorney and Examiner Rowan on Wednesday, December 14, 2005. During the course of the interview, U.S. Patent No. 2,146,350 to Roberts, U.S. Patent No. 5,212,900 to Perry and U.S. Patent No. 6,065,240 to Paddock were discussed. No specific agreement with respect to the claims was reached.

III. Proposed Changes to the Drawings

With this Amendment, Applicant proposes amending Figure 2 to include longitudinal axis 302 and Figure 4 to include axis 304. It is submitted that no new matter is being added to the Figures since the axes are merely reference lines that are inherently defined by the geometric shapes of the structures disclosed in the Figures of the application as originally filed.

IV. Amendments to the Specification

Applicant proposes amending the specification to reference the axes 302 and 304 that Applicant proposes adding to Figures 2 and 4. As described in the previous paragraph, the proposed amendments do not constitute new matter since they are merely identifying reference lines that are inherently defined by the geometric configurations of the structures shown in the drawings. Applicant also proposes adding that the "length L of the arm cradle 28 extends generally radially outwardly from the pivot axis 72." This also does not constitute new matter since this structural relationship was clearly shown in Figure 2 of the application as originally filed.

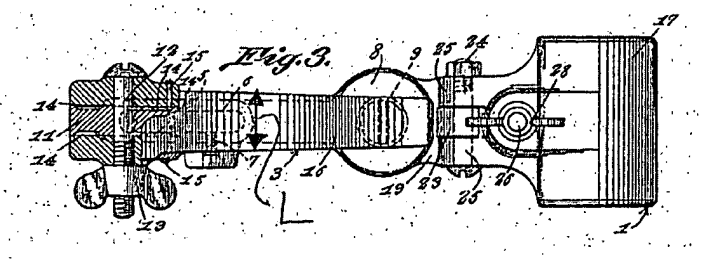
V. Claim Rejections Under 35 U.S.C. §112

In the Office Action of October 19, 2005, claims 10, 11 and 13 were rejected under 35 U.S.C. §112 as being indefinite. In response, certain language has been removed from claim 10 for the purpose of improving clarity. In view of the amendment, withdrawal of the rejection under 35 U.S.C. §112 is respectfully requested.

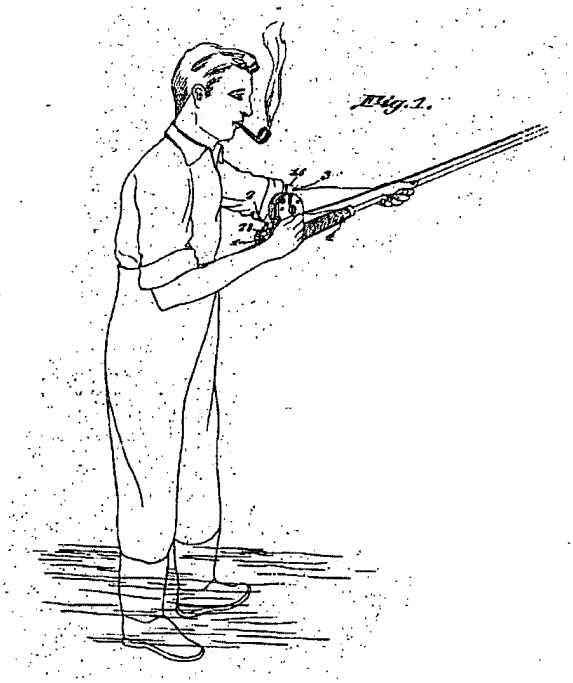
VI. Claim Rejections Under 35 U.S.C. §102

In the Office Action of October 19, 2005, claims 10-13 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 2,146,350 to Roberts. This rejection is respectfully traversed. However, in the interest of expediting prosecution, claim 10 has been amended to more clearly identify certain inventive aspects.

Roberts discloses a rod and reel stabilizer having a clamp 1 adapted to clamp on the handle of a fishing rod, and a clamp 3 adapted to engage a persons arm adjacent the elbow (see column 1, lines 37-51). An arm 2 connects the clamp 3 to the clamp 1. A bolt 9 connects the bottom end of the arm 2 to the clamp 1. As shown in Figure 3 reproduced below, the clamp 3 has a relatively short length L (added for explanation purposes) that extends between the open front and back ends of the clamp.

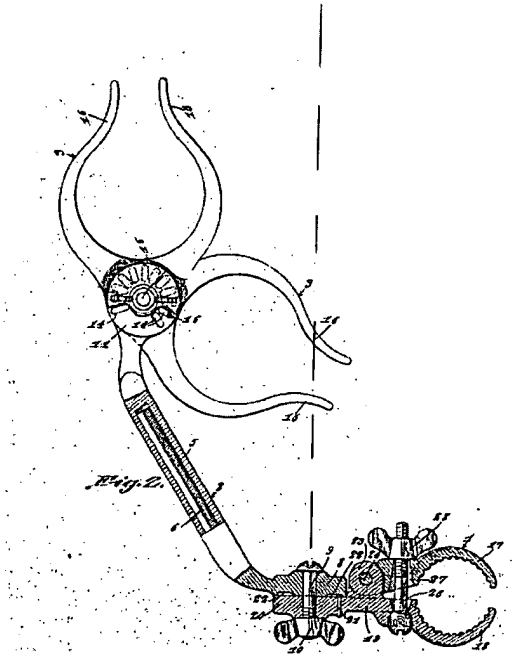


As shown at Figure 1 of the Roberts patent (reproduced below), in use, the clamp 3 is located forward of the reel and engages the fisherman's arm adjacent the elbow. In use, the open side of the clamp 3 faces inwardly and downwardly toward the fishing rod. Bolt 12 can be loosened to allow adjustment of the spacing between the jaws 16 to accommodate different arm sizes.



Claim 10 requires a pivot member that connects the forearm receiving member to the coupler, the pivot member defining a pivot axis that extends generally in a upward/downward direction and is located *adjacent the front end of the forearm receiving member.* This structure is clearly not present in the device disclosed in Roberts. Part 9 of the '350 patent is a bolt that is intended to be tightened to clamp the arm 2 at a set position relative to the clamp 1. To the extent that bolt 9 defines a pivot axis when nut 10 is loosened, it is clear that when the clamp 3 is

positioned so that the top side of the clamp is open (as required by claim 10), the axis defined by bolt 9 is in no way adjacent to the front end of the clamp 3. Instead, as shown below (in which Figure 2 has been modified to show clamp 3 pivoted upwardly), the axis is offset far to the right of the clamp 3.



Furthermore, claim 10 requires that the length of the forearm receiving member extend *generally radially outwardly from the pivot axis*. This is clearly not present in Roberts. For example, as shown at Figure 3 (reproduced above), the length L (i.e., the dimension extending between the open ends of the clamp 3) of the clamp 3 is significantly offset from and does not extend radially outwardly from the axis defined by bolt 9.

For at least the above identified reasons, withdrawal of the 102 rejection of claim 10 based on Roberts is requested. Additionally, claims 11 and 13 depend upon and further limit claim 10. Therefore, for at least the same reasons specified with respect to claim 10, withdrawal of the 102 rejections of claims 11 and 13 based on Roberts is also requested.

Claim 12 is also not anticipated by Roberts for a number of reasons. For example, claim 12 requires the base portion of the arm cradle to *incline upwardly from the coupler at an angle in the range of 15-30 degrees relative to the central axis of the receptacle of the coupler*. This

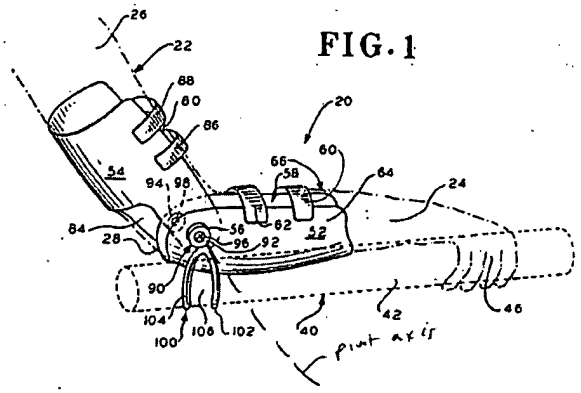
clearly is not shown in Roberts. If the clamp 3 is oriented upwardly as required by claim 12, the bottom base portion of the clamp 3 is generally parallel to the central axis of the clamp 1. Therefore, there is no inclination as required by claim 12. Moreover, claim 12 requires the channel of the arm cradle to define *a longitudinal axis that intersects the pivot axis of the pivot pin*. Clamp 3 of Roberts clearly does not define a longitudinal axis that intersects the axis defined by bolt 9. For at least the above reasons, the Examiner is respectfully requested to withdraw the rejection of claim 12 based on Roberts.

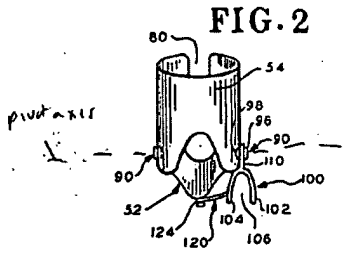
VII. Claims Rejections Under 35 U.S.C. §103

Claims 1-8 and 27-31 were rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 5,212,900 to Perry in view of U.S. Patent No. 6,065,240 to Paddock. This rejection is respectfully traversed.

Both claims 1 and 27 relate to a fishing system having a forearm receiving portion or support that can pivot left and right relative to the fishing rod during fishing. To provide points of reference for the left and right orientations, the claims further specify that the fishing rods have eyelets positioned at one of the top or bottom sides of the fishing rod.

It is submitted that neither Perry nor Paddock discloses any type of arm supporting structure that can pivot left and right relative to the fishing rod. Perry discloses a pivot hinge 90 that connects part 54 to part 52. Pivot hinge 90 defines a horizontal pivot axis that extends over the top side of the rod and allows up and down movement of part 54 (see Figures 1 and 2, reproduced below). A fixture 100 connects parts 52, 54 to the rod. The configuration of the fixture 100 with stabilizer tab 120 is specifically designed to prevent left and right movement of the piece 52 relative to the rod handle 40. Similarly, the device disclosed in Paddock has a support 60 that pivots about a horizontal pivot axis spaced above the top side of the rod. This configuration allows up and down pivoting of the member 60, but prevents left and right pivoting.





In view of the above, the Examiner is respectfully requested to withdraw the rejection of claims 1-8 and 27-31 based on Perry in view of Paddock.

Claims 1, 2, 4, 7-9 were rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 2,146,350 to Roberts in view of U.S. Patent No. 6,065,240 to Paddock. These rejections are respectfully traversed.

Claim 1 requires an arm cradle having a forearm receiving portion opening in an upward direction that is pivotally moveable relative to a fishing rod about a pivot axis that is positioned *adjacent the front end of the forearm receiving portion of the arm cradle* and is also offset to one of the left and right sides of the fishing rod. As previously described with respect to claim 10, the axis defined by bolt 9 is clearly not adjacent to the front end of clamp 3. Moreover, clamp 3 does not appear to be elongated along a length that extends between the front and rear ends of the forearm receiving portion. Therefore, claim 1 is clearly not anticipated or rendered obvious by Roberts. Furthermore, there is no motivation or suggestion to combine Roberts with Paddock. Roberts is a device intended to engage the angler adjacent the elbow at a position in front of the fishing reel. Paddock operates in a completely different manner and engages the anglers forearm adjacent the wrist at a location behind the fishing reel. In view of these significant differences, one of ordinary skill in the art would not look to combine Roberts with Paddock as suggested by the Examiner.

In view of the above, the Examiner is respectfully requested to withdraw his rejections of claims 1, 2, 4, 7-9 based on Roberts in view of Paddock.

Claims 16-22 were rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 2,146,350 to Roberts. These rejections are respectfully traversed.

Claim 16 relates to a device having an arm cradle defining an upwardly facing channel with an open top side and *a length being shorter than the width*. This clearly is not taught or suggested by Roberts. In Roberts, the clamp 3 has a length L (i.e., the distance extending between the open ends) that is substantially shorter than the width (i.e., defined as the maximum distance between the side walls). Furthermore, as shown in Figure 1 of Roberts, the clamp 3 is adapted to fit directly adjacent to a users elbow at a location in front of the reel. In view of this usage, there is no suggestion or motivation for elongating the length of the clamp 3. Specifically, since the clamp 3 is intended to contact the arm at a more discrete location, rather than running along a substantial length of a forearm, there appears to be no motivation or rationale for lengthening the clamp 3. Additionally, claim 16 requires the pivot axis to be *adjacent the open front end of the arm cradle*. As previously described, this feature is also absent from Roberts.

Furthermore, with respect to the claims reciting that the channel is 1.5 or 2 times larger than the width of the channel, such modifications are not merely examples of scaling up or scaling down a particular product. Instead, such changes can significantly affect the functionality of the device and therefore are not merely obvious modifications.

For at least the above identified reasons, the Examiner is respectfully requested to withdraw his rejections of claims 16-22 based on Roberts.

Claims 23-26 were rejected under 35 U.S.C. §103 as being unpatentable over Perry. This rejection is respectfully traversed.

Claim 23 requires an arm cradle with an upwardly facing channel having an open top side. A pivot pin is positioned at the front end of the arm cradle. The pivot pin includes a pivot shaft portion defining a pivot axis about which the arm cradle pivots. The pivot shaft portion extends downwardly relative to the arm cradle such that the pivot axis extends in a generally

upward/downward direction. The pivot shaft portion is pivotally received within a pivot shaft opening defined by a coupler. A length of the channel of the arm cradle extends generally radially outwardly from the pivot axis.

As described above, Perry does not disclose a device having a pivot axis that extends generally in an upward/downward direction. Instead, the pivot axis defined by hinge 90 between parts 52 and 54 is generally horizontal and is located above the rod handle. Furthermore, the modifications suggested by the Examiner are not mere rearrangements of the parts. Instead, the modifications suggested by the Examiner would completely change the operation of the device disclosed in Perry. This being the case, the modifications are clearly not obvious.

VIII. Conclusion

In view of the above amendments and remarks, it is submitted that the present application is currently in immediate condition for allowance, and notification to that effect is respectfully requested. Please direct any inquiries concerning the present application to the undersigned attorney at 612.336.4617.

Respectfully submitted,

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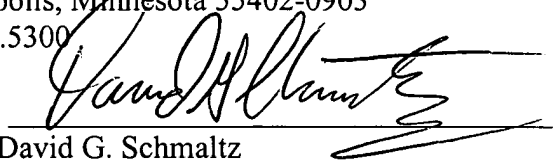
Dated: January 19, 2006

Signed: 
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